

AF/1634/18
#16

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF APPEALS

Applicants: Timothy P. Tully, Joshua I Dubnau, Michael Davis, Jan Mous and Ulrich Certa

Serial No.: 09/523,066 Group Art Unit: 1634

Filed: March 10, 2000 Examiner: B. Forman

Confirmation No.: 4462

For: GENE CHIP TECHNOLOGY FOR DETERMINING MEMORY GENES

CERTIFICATE OF MAILING		
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Assistant Commissioner for Patents, P.O. Box 2327, Arlington, VA 22202		
on	10-9-02	Sandra Jammal
Date	Signature	
Sandra Jammal		
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Assistant Commissioner for Patents
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P.O. Box 2327
Arlington, VA 22202

| 10/17/2002 AWDNDAF1 00000059 09523066
| 01 FC:1401 320.00 OP
| 02 FC:1253 920.00 OP

Sir:

Applicant hereby appeals to the Board of Appeals from the decision dated April 10, 2002 of the Primary Examiner finally rejecting claims 12-15 and 24-26. The item(s) checked below are appropriate:

1. Applicant hereby petitions to extend the time for filing a Notice of Appeal in response to the Office Action Made Final dated April 10, 2002 for three months from July 10, 2002 to October 10, 2002.
2. A [] month extension of time to respond to the Office Action Made Final dated [] was filed on [] with payment of a \$[] fee.
 Applicant hereby petitions for an additional [] month extension of time to respond to the Office Action Made Final.
3. A Request for Oral Hearing before the Board of Patent Appeals and Interferences is being filed concurrently herewith.

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4. Fees are submitted for the following:

[X]	Extension of Time for three months	\$ <u>920</u>
[]	Additional Extension of Time:	
	Fee for Extension ([] mo.)	\$ _____
	Less fee paid ([] mo.)	\$ _____
	Balance of fee due	\$ <u>0</u>
[X]	Notice of Appeal	\$ <u>320</u>
[]	Other _____	\$ _____
	TOTAL	\$ <u>1240</u>

5. The method of payment for the total fees is as follows:

- [X] A check in the amount of \$1240.00 is enclosed.
- [] Please charge Deposit Account No. 08-0380 in the amount of \$[].

Please charge any deficiency or credit any overpayment in the fees that may be due in this matter to Deposit Account No. 08-0380. A copy of this document is enclosed for accounting purposes.

Respectfully submitted,

HAMILTON, BROOK, SMITH, REYNOLDS, P.C.

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Concord, MA 01742-9133

Date: October 9, 2002